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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/043,676 | 01/09/2002 | James G. Vagim III | 47074/LTR/W325 | 2538 |

7590 03/23/2006
Wang, Hartmann & Gibbs, P.C.
1301 Dove Street,
Suite 1050
Newport Beach, CA 92660

EXAMINER

CHARLES, DEBRA F

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

3624

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment

Application No.

10/043,676

Examiner

Debra F. Charles

Applicant(s)

VAGIM ET AL.

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☒ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

3/10/2006

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

AF

IFW
3624



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10,043,676 Confirmation No. : 2538
Applicants : Vagim, et al.
Filed : January 9, 2002
Art Unit : 3624
Examiner : Debra F. Charles

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

LETTER OF ABANDONMENT

Dear Sir:

Applicant hereby requests that the above identified application be abandoned on February 10, 2006 in favor of a copending continuation application. Applicant takes issue with examiner's office action mailed on August 11, 2005 and does not agree with his reasons for rejecting all pending claims. The merits of the issues raised by the examiner may be addressed in the continuation application.

February 10, 2006

Respectfully submitted,
Wang, Hartmann & Gibbs, PC
1301 Dove Street, Suite 1050
Newport Beach CA 92660
(949) 833-8483

A handwritten signature in cursive script, appearing to read "Larry Severin".

Larry Severin
Reg. No. 54606



PATENT
W017-8000

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

Date of Mailing: 2/10/06

I certify that the attached Letter of Abandonment is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Nelly Clay
(Print name)

Nelly Clay
(Signature)

2/10/06
(Date)